

IN RE: PETITION FOR ADMINISTRATIVE * BEFORE THE
 ZONING VARIANCE
 N/S Chapman Rd., 270 ft. +/- N * ZONING COMMISSIONER
 of Redstone Road
 7812 Chapman Road * OF BALTIMORE COUNTY
 11th Election District
 5th Councilmanic District * Case No. 95-370-A
 Joseph M. Ziembra
 Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Joseph M. Ziembra for that property known as 7812 Chapman Road in the Kingsville section of Baltimore County. The Petitioner herein seeks a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow s side yard setback of 25 ft., in lieu of the required 50 ft., for an attached garage, as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship

ORDER REQUESTED FOR FILING
 5/23/95
 Date *M. Goral*
 By

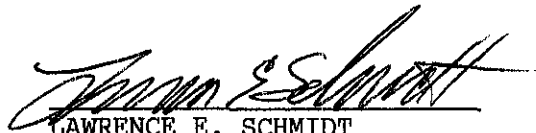
MICROFILMED

upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22nd day of May, 1995 that the Petition for a Zoning Variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow s side yard setback of 25 ft., in lieu of the required 50 ft., for an attached garage, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:mmm

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 18, 1995

Mr. Joseph M. Ziemba
7812 Chapman Road
Kingsville, Maryland 21087

RE: Petition for Administrative Variance
Case No. 95-370-A
Property: 7812 Chapman Road

Dear Mr. Ziemba:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".
Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.





Petition for Administrative Variance

95-370-A

to the Zoning Commissioner of Baltimore County

for the property located at 7812 CHAPMAN ROAD

which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B.3

To allow a side yard setback of 25 feet (for a proposed garage addition) in lieu of the minimum required 50 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

House is 50.4ft. from West property line. We want to add a garage, 36' x 24'. Existing carport is next to West property line. New garage will be 26.4ft. from property line and connected to house. Existing kitchen entrance is also on West side, facing property line. East side of house is 1ft from building setback line. These above precludes building the garage anywhere but on Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

West side of house.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

✓ Joseph M Ziemba
(Type or Print Name)

✓ Joseph M. Ziemba
Signature

(Type or Print Name)

Signature

✓ 7812 Chapman Rd 410-592-5673
Address Phone No.

✓ Kingsville MD 21087
City State Zipcode
Name, Address and phone number of representative to be contacted

✓ same as above
Name

✓ Address Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

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Zoning Commissioner of Baltimore County

REVIEWED BY: [Signature]

DATE: 4-21-95

ESTIMATED POSTING DATE: 4/30

Printed with Soybean Ink
on Recycled Paper

ITEM #: 374

95-370-A

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 7812 Chapman Rd
address
Kingsville MD 21087
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

See front of Petition sheet.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

J M Ziemba
(signature)
Joseph M. Ziemba
(type or print name)



J M Ziemba
(signature)
Joseph M. Ziemba
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21 day of April, 19 95, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Joseph MARK Ziemba

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

4-21-95
date

Sharon K Flores
NOTARY PUBLIC

My Commission Expires:

SHARON K. FLORES
Notary Public State of Maryland
My Commission Expires September 1, 1996

374

ZONING DESCRIPTION

7812 Chapman Rd.

11th ED

Beginning at a point on the north side of Chapman Rd, 60 ft. wide at the distance of 270 ft. north of Redstone Rd. Thence running S $50^{\circ}05'10''$ W 58.78 ft., thence S $06^{\circ}05'10''$ W 385.69 ft., thence S $38^{\circ}54'50''$ E 21.21 ft., thence S $83^{\circ}54'50''$ E 100 ft., thence N $02^{\circ}05'10''$ E 145 ft., thence N $20^{\circ}30'10''$ E 100 ft., thence N $36^{\circ}30'10''$ E 163.11 ft., thence N $67^{\circ}25'37''$ W 125 ft., thence along curve, Radius 175 ft., Arc 58.84 ft., Chord N $58^{\circ}07'20''$ W 56.54 ft., to the point of beginning. Containing 1.32 acres \pm

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-370-A

District 11th Date of Posting 4/28/95

Posted for: Variance

Petitioner: Joseph Ziemba

Location of property: 7812 Chapman Rd, N/S

Location of Signs: Facing roadway, on property being zoned

Remarks: _____

Posted by M. H. H. H. Date of return: 5/5/95

Number of Signs: 1

MICROFILMED



**Baltimore County
Zoning Administration &
Development Management**
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-370-A

Account: R-001-6150

Date 4-21-95

Number 374

Taken in by *[Signature]*

OWNER: Joseph M. Ziembka

Site: 7812 Chapman Rd.

# 010	Residential Variance (admn) filing fee	50.
# 080	Sign & posting	35.

7024 \$85.00

MICROFILMED

U.S. GOVERNMENT PRINTING OFFICE: 1964

 $\frac{1}{2} \left(\frac{1}{2} + \frac{1}{2} \right) = 1$

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 28, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-370-A (Item 374)
7812 Chapman Road
N/S Chapman Road, 270' +/- N of Redstone Road
11th Election District - 5th Councilmanic
Legal Owner(s): Joseph M. Ziemba

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before April 30, 1995. The closing date (May 15, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Joseph M. Ziemba



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 11, 1995

Mr. Joseph M. Ziembra
7812 Chapman Road
Kingsville, Maryland 21087

RE: Item No.: 374
Case No.: 95-370-A
Petitioner: J. M. Ziembra

Dear Mr. Ziembra:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 21, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr.", is written over the word "Sincerely,".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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Printed with Soybean Ink
on Recycled Paper

BALMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: May 4, 1995

SUBJECT: Variance Requests

INFORMATION:

Item Numbers: 362, 363, 364, 367, 372, 374, 380 and 383. ✓

SUMMARY OF RECOMMENDATIONS:

While staff does not oppose the requested Variances, it is clear that the petitioners will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variances.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK/JL



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

5-2-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 374 (JJS)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/

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4ADM

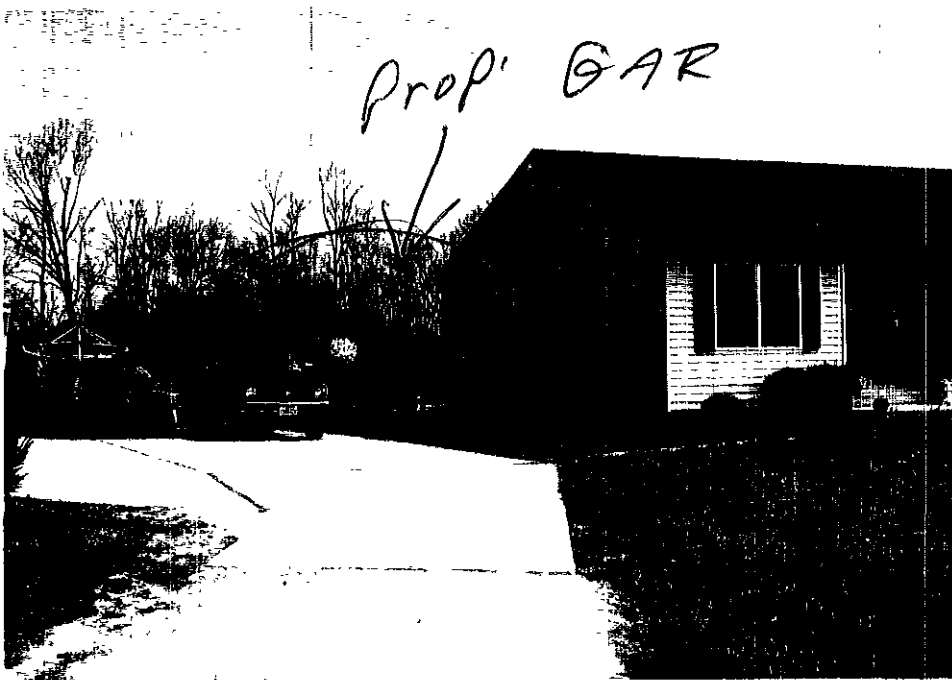
REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, ME-1102F

cc: File

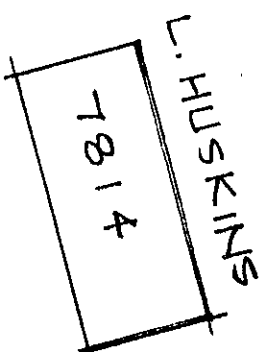
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95-370-A



OWNER: JOSEPH & DONNA ZIEMBA
APRIL 12, 1995



Election District: 11TH

Councilman District: 5th

1"=200' scale map#:

Zoning: R2C-5

zoning: /
lot size: 1.32 57499

	acreage	square feet
1	10	100
2	20	200
3	30	300
4	40	400
5	50	500
6	60	600
7	70	700
8	80	800
9	90	900
10	100	1000
11	110	1100
12	120	1200
13	130	1300
14	140	1400
15	150	1500
16	160	1600
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34	340	3400
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public ☐ private ☒
 SEWER: ☐ ☒
 WATER: ☐ ☒
 YES NO
 Chesapeake Bay Critical Area: ☐ ☒
 Prior Zoning Hearings: NONE

Chesapeake Bay Critical Area:
Prior Zoning Hearings: NONE

Zoning Office USE ONLY:

reviewed by:	ITEM #:	CASE#:

ITEM #:	CASE#:
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374

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BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: May 8, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for May 8, 1995
Items 362, 363, 364, 366, 367, 369, 372, 373, 374 and 375 and Case No. 95-308-X

The Developers Engineering Section has reviewed
the subject zoning item and we have no comments.

RWB:sw

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/05/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAY 1, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 362, 363, 364, 365, 366, 367,
369, 370, 371, 372, 373, 374, 375, 376 and 377.

RECEIVED
MAY 8 1995
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 687-4881, MS-1102F

cc: File

[Faint, illegible stamp]





SHEET

MICROFILMED

LOCATION

N. E.
14-K

FRANKLINVILLE

SCALE

1" = 200' ±

DATE

OF
PHOTOGRAPHY
JANUARY
1986

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

95-370-A

374
425

IN RE: PETITION FOR ADMINISTRATIVE
ZONING VARIANCE
N/S Chapman Rd., 270 ft. +/- N
of Redstone Road
7812 Chapman Road
11th Election District
5th Councilmanic District
Joseph M. Ziemba
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Joseph M. Ziemba for that property known as 7812 Chapman Road in the Kingsville section of Baltimore County. The Petitioner herein seeks a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 25 ft., in lieu of the required 50 ft., for an attached garage, as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

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The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship

upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22nd day of May, 1995 that the Petition for a Zoning Variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow a side yard setback of 25 ft., in lieu of the required 50 ft., for an attached garage, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:mmm

-2-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 18, 1995

Mr. Joseph M. Ziemba
7812 Chapman Road
Kingsville, Maryland 21087

RE: Petition for Administrative Variance
Case No. 95-370-A
Property: 7812 Chapman Road

Dear Mr. Ziemba:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER

LES:mmm
encl.



Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County

for the property located at 7812 CHAPMAN ROAD
which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B.3 To allow a side yard setback of 25 feet (for a proposed garage addition) in lieu of the minimum required 50 feet.

of the Zoning Regulations of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

House is 50.4 ft. from West property line. We want to add a garage 36'x24'. Existing cur is next to West property line. New garage will be 26.4 ft. from property line and attached to house. Existing kitchen entrance is also on West side facing property line. East side of house is 14 ft. from building setback line. These above precludes building the garage anywhere but on West side of house.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

With this solemn declaration and affirm, under the penalties of perjury, that I am the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Joseph M. Ziemba

Signature: J. M. Ziemba

Signature: J. M. Ziemba

Signature: J. M. Ziemba

Signature: J. M. Ziemba

Signature: J. M. Ziemba

Signature: J. M. Ziemba

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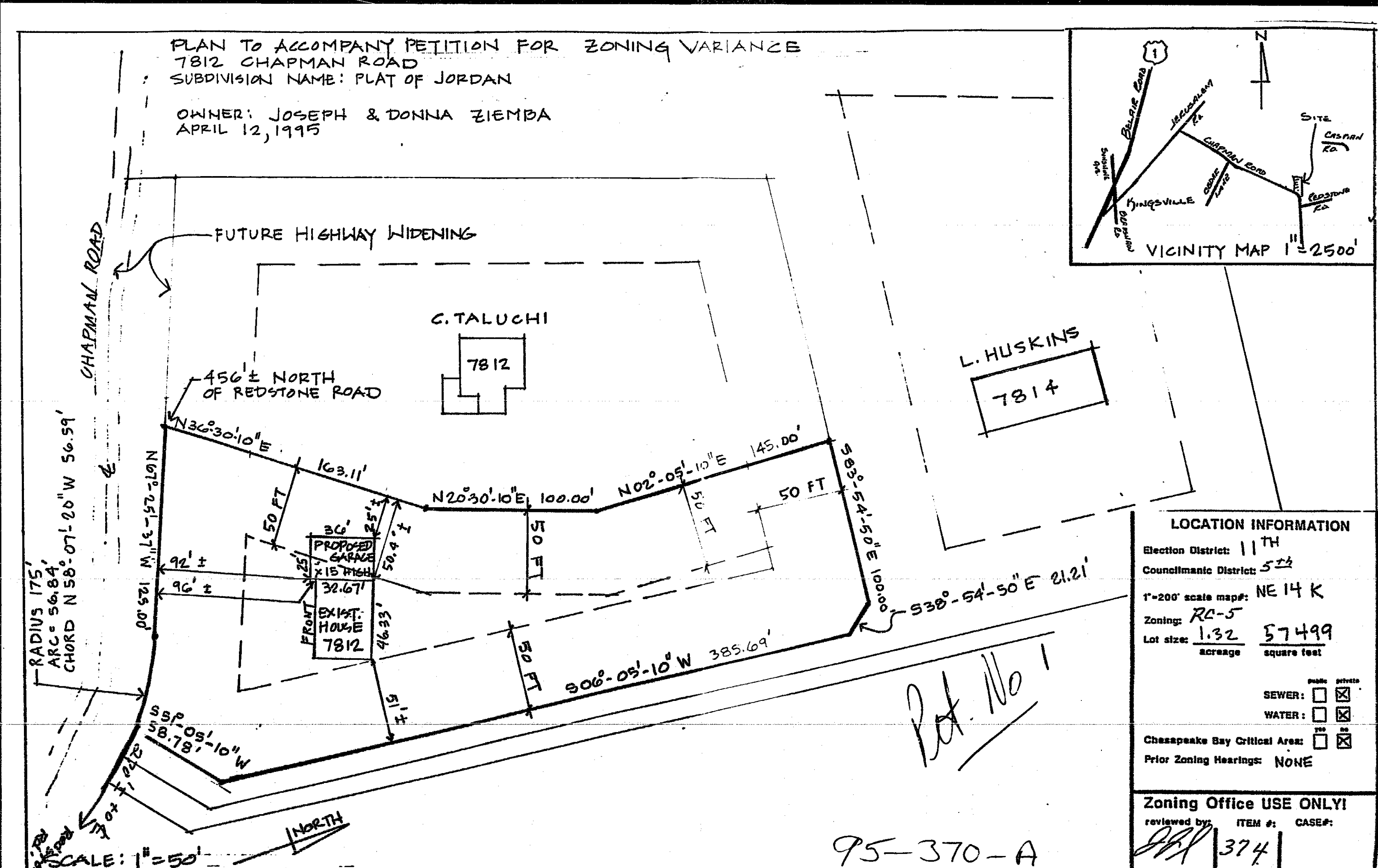
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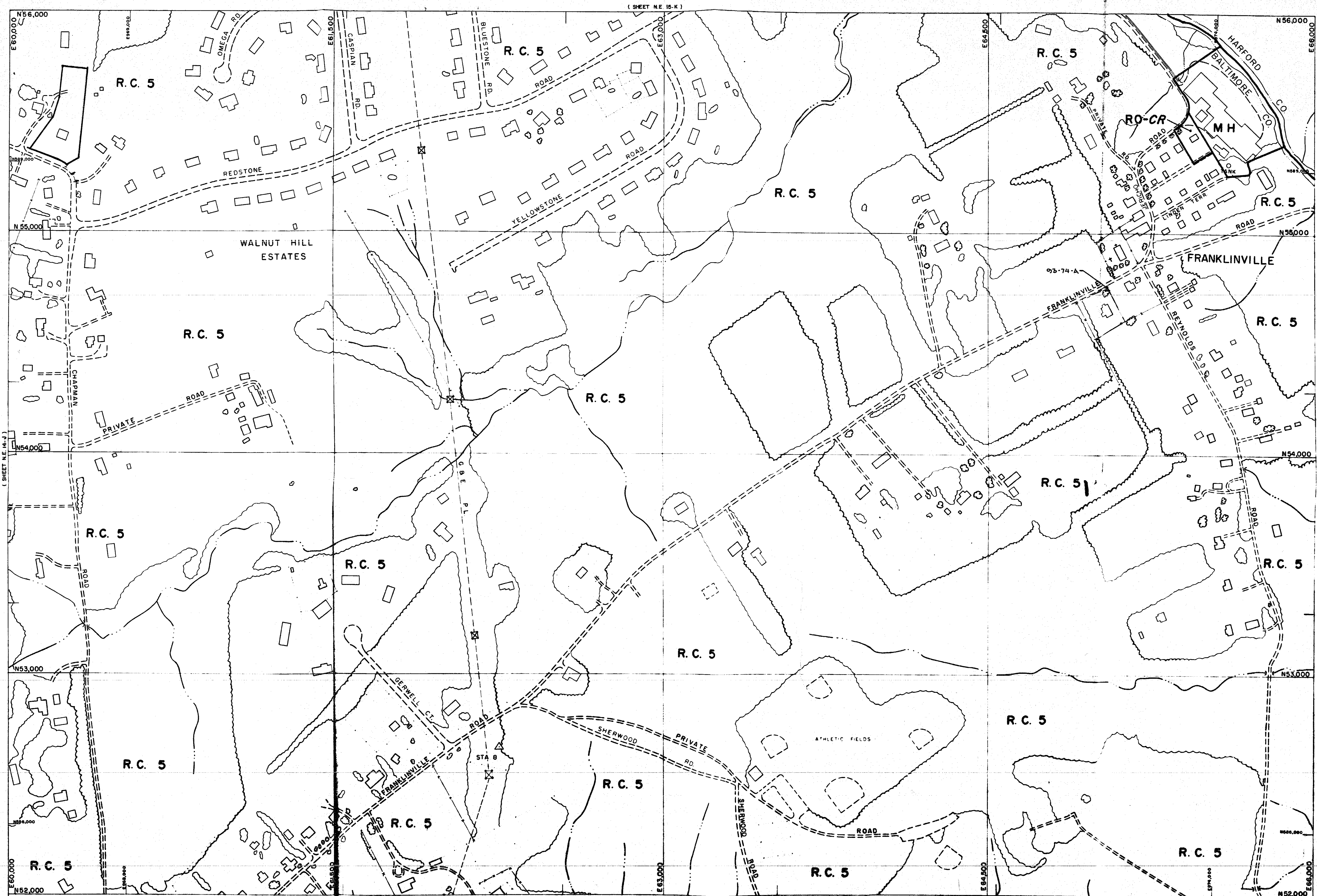
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Q-NE QQ-NW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

William A. Howard
Chairman, County Council

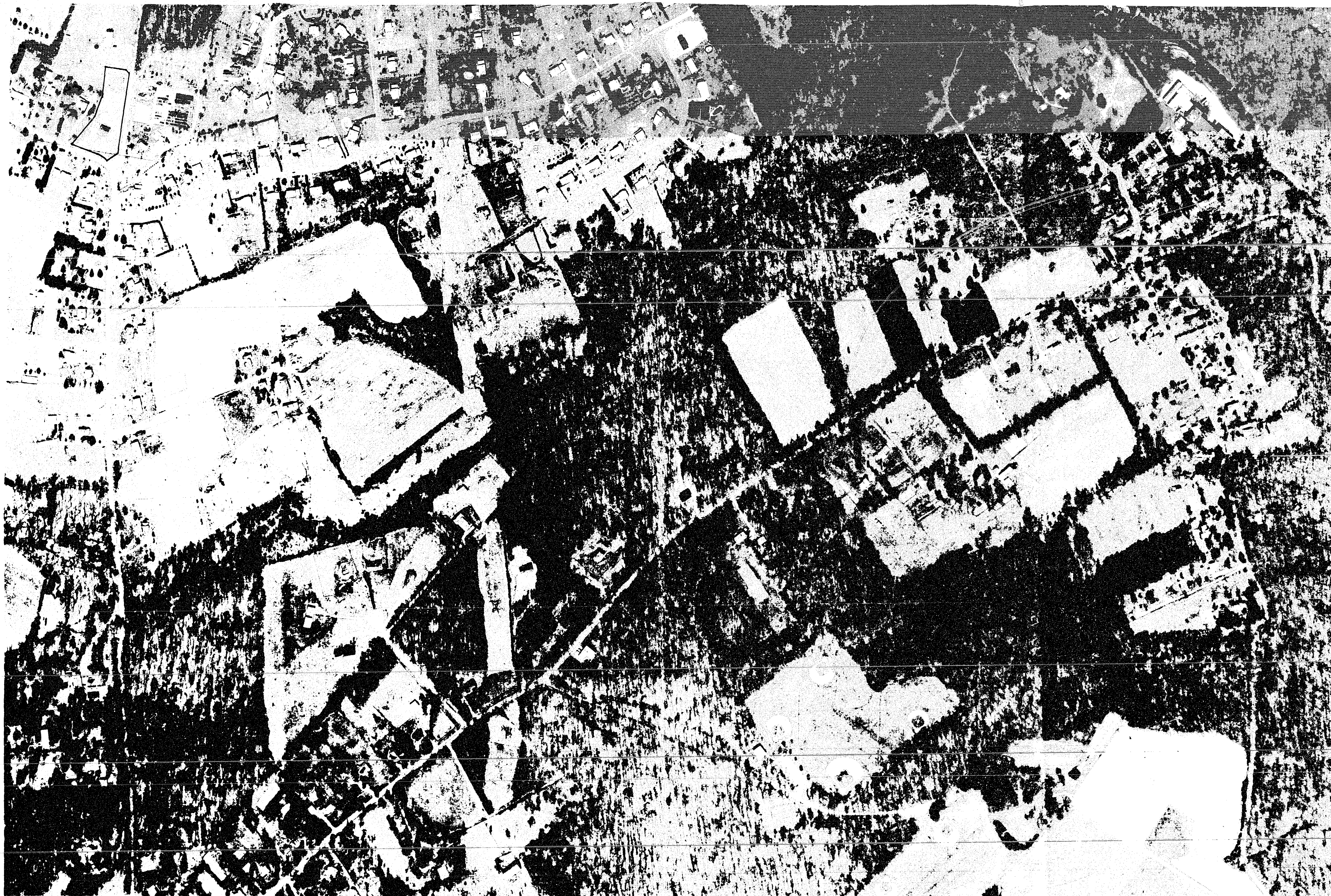
SCALE 1" = 200'	LOCATION FRANKLINVILLE
DATE OF PHOTOGRAPHY JANUARY 1986	SHEET N. E. 14-K

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BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	FRANKLINVILLE	N.E.
DATE OF PHOTOGRAPHY JANUARY 1986		14-K